

80-61-X

BALTIMORE COUNTY, MARYLAND

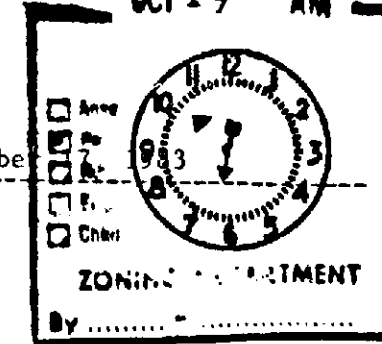
INTER-OFFICE CORRESPONDENCE

TO: The Honorable Gary Huddles
Baltimore County Council

Date: October 5, 1983

FROM: Ms. Judy London
Revitalization Coordinator

SUBJECT: BEDFORD SQUARE OFFICE BUILDING



Attached for your information is a Project Summary sheet which details the chronology on the Bedford Square Office Project.

As per discussions with Arnold Jablon, the original owners, Pikesville Partnership, did not lose their original special exception because they did begin construction prior to expiration of the special exception provided to them by Bill Hammond on November 24, 1982.

Progress on the project was delayed until problems related to the storm drain project were resolved in August, 1983. At that point the original developers obtained another building permit (57018) on August 30, 1983.

At the point the new owners considered purchase of the property, they inquired as to the continued validity of the special exception. Upon a determination that delays encountered on the project were not the fault of the developer the Zoning Commissioner issued another Extension Order on October 13, 1983.

With respect to the other questions raised, please find attached a fact sheet on the project. As per Exhibit 3 occupancy will be provided as follows:

Disc. Inc.	50% occupancy
Howard Sapperstein & Associates	10% "
Ira Sugar, P.A.	5% "
Others unknown	35% "

Should you have any questions, please contact me.

Judy London
JUDY LONDON

JL:pat
Attachments
cc: Arnold Jablon
Robert Hannon
Robert Morton

BEDFORD SQUARE OFFICE BUILDING

Project Summary

1. Special exception No. 80-61-X Item No. 250
 - a. Hearing Sept. 6, 1979
 - b. Order granted Oct. 10, 1979
 - c. 30-day appeal to Nov. 10, 1979
2. Developer had 2 years to build under special exception
3. Sewer moratorium imposed in Gwynns Falls necessitated developer to enter into a franchise agreement to pump sewer into Jones Falls. Franchise agreement was ready for execution November 5, 1981.
4. PWA executed Oct. 29, 1981
5. Developers appealed to Zoning Commissioner for extension of special exception to enable them to get building permit.
6. Extension was granted on November 24, 1981 for special exception until December 9, 1981.
7. Following extension being granted a building permit was issued that same day and construction begun.
8. The provision of the extension did not require the project to be completed, it required the project be started and be pursued with due diligence.
9. The developer proceeded with due diligence in construction of foundation and walls.
10. Progress on the project was impeded by storm drain project.
 - a. PWA only required the developer to contribute the difference incurred by the County as a result of redirecting storm drain project around the building.
 - b. County applied for permit to build project March 24, 1982
 - c. Bids were received on storm drains on July 8, 1982. A request for full funding of the total storm drain was requested of the developer. Contract would have to be awarded by September 2, 1982.
 - d. Developer responded August 3, 1982 that the PWA did not hold him responsible for full cost of the project, only the increment of the cost necessitated by changing the storm drain alignment.
 - e. September 27, 1982 Bob Morton indicated that because storm drain was part of capital project, the county was not ready to participate in funding the project at this time.

2

The project was tied to the Bedford Road project tie-in. The developer was instructed he could pursue construction and pay for it totally on his own. \$44,698.55.

- f. January 5, 1983 developer's engineer projected developer's cost responsibility for storm drain at \$12,283.59.
- g. January 11, 1983 Bob Morton recalculated developer's responsibility at \$28,534.55.
- h. March 9, 1983 all bids were rejected due to time lapse in awarding contract.
- i. Bids were again received on June 23, 1983. Developer was asked for a contribution of \$64,557.
- j. Contribution requested was revised to \$50,736.69 on July 19, 1983.
- k. Contribution request again revised August 10, 1983 and was approved.
- l. Funds were deposited by developer, Pikesville Partnership, August 16, 1983.
- m. Building permit was issued on August 30, 1983
11. Pikesville Partnership verified continuance of special exception under regulation 502.3 through Arnold Jablon on September 12, 1983.
12. Settlement on property took place September 13, 1983.
13. Contact regarding availability of IRB from Economic Development received from Denich on September 20, 1983.
14. IRB application was received on September 26, 1983.
15. New building permit was issued to new owners on September 26, 1983.
16. IRB application circulated for comment September 30, 1983.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

B. Melvin Cole

Administrative Officer

Date: October 5, 1983

TO: Robert L. Hannon, Director

FROM: Economic Development Commission

Industrial Revenue Bond --

SUBJECT: Bedford Square

Amount: \$1,700,000

Project: Bedford Square, a Maryland general partnership, proposes to construct a two-story 28,600 square foot office building in the Pikesville Revitalization area. It will be occupied by a computer software firm, accounting firms and various other professionals. This project will retain 54 jobs in the County and create an additional 50 jobs.

Bond Counsel: Shapiro & Olander

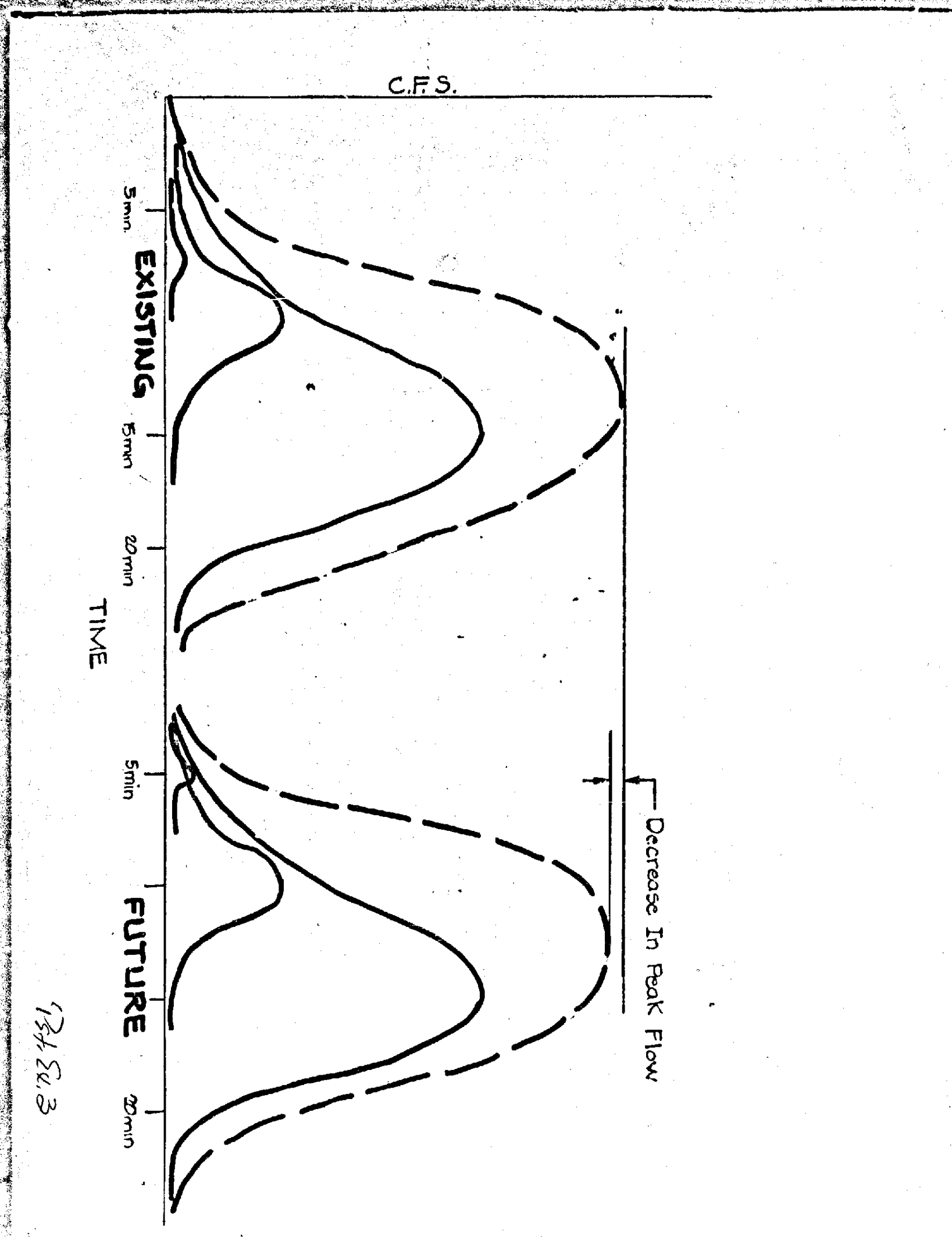
Financing: Milton Abrams Associates, Inc.

Company Representative: H. Allen Luray, General Partner
Bruce D. Mogol, General Partner

Council District: This project is in Councilman Huddles' district.

RLH:jet

cc: Donald P. Hutchinson
County Council



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 7th day of June 1979. Filing Fee \$ 50.00. Received ☒ Cash ☐ Other

Submitted by Benton Pumpian
Petitioner Malvin Berger
Petitioner's Attorney Dr. C. Cooke
Submitted by same
Reviewed by 618

S. Eric DiNenna, Zoning Commissioner

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION FOR SPECIAL EXCEPTION
3rd District
Zoning: Petition for Special Exception for office building.
LOCATION: Southwest corner of Bedford Avenue and McHenry Street.
DATE & TIME: Thursday, September 6, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Board of Planning and Zoning of Baltimore County, will hold a public hearing on the Petition for Special Exception for office building, as shown on plat plan filed with the Zoning Department, at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Thursday, September 6, 1979 at 10:00 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

OFFICE OF THE TIMES
TOWSON, MD. 21204 August 16, 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Barry S. Lever was inserted in the following:

☐ Catonsville Times ☐ Arbutus Times
☐ Essex Times ☒ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 17 day of August, 1979, that is to say, the same was inserted in the issues of August 16, 1979.

STROMBERG PUBLICATIONS, INC.
By Barbara Brown

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3rd Date of Posting August 17, 1979
Posted for: PETITION FOR SPECIAL EXCEPTION
Petitioner: PIKESVILLE PARTNERSHIP
Location of property: SW/C BEDFORD AVE & M'HENRY STREET
Location of Signs: W/S BEDFORD AVE. 120' to 1st S of M'HENRY ST.
Remarks: Thomas L. Roland Date of return August 24, 1979
Signature

PETITION FOR SPECIAL EXCEPTION
3rd District
Zoning: Petition for Special Exception for office building.
LOCATION: Southwest corner of Bedford Avenue and McHenry Street.
DATE & TIME: Thursday, September 6, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
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CERTIFICATE OF PUBLICATION

TOWSON, MD. August 16, 1979
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week before the 16th day of September, 1979, the last publication appearing on the 16th day of August, 1979.

THE JEFFERSONIAN,
S. Frank Strick Manager.
Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 63099
DATE August 7, 1979 ACCOUNT 01-662
AMOUNT \$50.00
RECEIVED FROM Malvin Berger, Kaufman & Weiner, P.A.
FOR Filing Fee for Case No. 80-61-X
50.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83153
DATE August 23, 1979 ACCOUNT 01-662
AMOUNT \$12.94
RECEIVED FROM Malvin Berger, Kaufman & Weiner, P.A.
FOR Advertising and Posting for Case No. 80-61-X
42.94
VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by <u>MOR</u>	Revised Plans: Change in outline or description <u>Yes</u>									
Previous case: <u>75-J-PX</u>	Map # <u>2</u>									

Paul H. Reincke
CHIEF

July 6, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Pikesville Partnership
Location: SW/C Bedford Ave. & Mc Henry St.
Item No. 250 Zoning Agenda Meeting of 6/19/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 200 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ exceeds the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed by William E. Kelly Noted and Approved: George M. Hammond
Planning Group Special Inspection Division Fire Prevention Bureau

JOHN D. SEYFERT
DIRECTOR

June 15, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #250 Zoning Advisory Committee Meeting, June 19, 1979 are as follows:

Property Owner: Pikesville Partnership
Location: SW/C Bedford Ave. & McHenry St.
S.R. 15
Proposed Zoning: Special Exception for office (IDCA 79-2-X)

Acres: 1.2690
District: 3rd

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

X I. No Comment.

X J. Comment: An elevator shall be required under State Handicapped Code

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204
Date: June 15, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: June 19, 1979

RE: Item No: 249, 250, 251, 252, 253, 254, 255
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

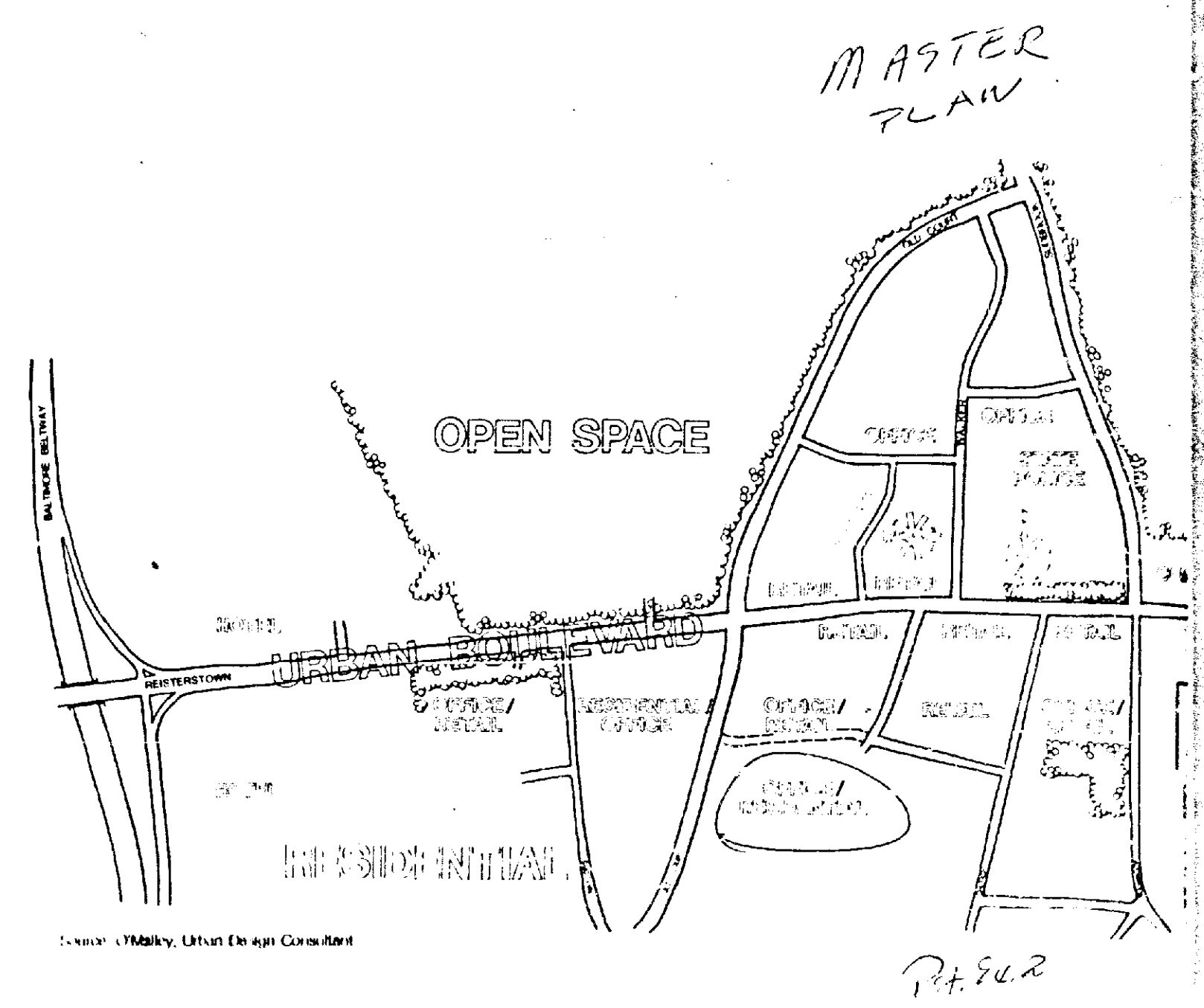
Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH H. MCGOWAN, PRESIDENT
T. SAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTANIS

THOMAS H. BOYER
MRS. LORRAINE F. CHIRUS
ROGER B. HATDEN

ALVIN LORCEK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT Y. DUDLEY, SUPERINTENDENT



VICINITY MAP
SCALE: 1" = 1000'

PIKESVILLE SHOPPING CENTER -
EX ZONING BL-CCC

EXISTING ZONING	DR-16
PROPOSED ZONING - DR-16 WITH SP. EXC. FOR	FRICES
GROSS AREA	1.27 AC±
NET AREA	1.27 AC±

FIRST FLOOR:	
USE	OFFICE
TOTAL FLOOR AREA	5,000 SQ. FT.
NUMBER SPACES REQUIRED 15000 / 300 =	50
NUMBER SPACES PROVIDED	50

USE	OFFICES
TOTAL FLOOR AREA	5,000 SQ. FT.
NUMBER SPACES REQUIRED (5000 / 500)	30
NUMBER SPACES PROVIDED	30

TOTAL SPACES REQUIRED -	20
TOTAL SPACES PROVIDED -	20

HANDICAPPED SPACES SHOWN THUS:

ALL PROPOSED PAVING TO BE BITUMINOUS CONCRETE
WITH STONE BASE AND PROPERLY DRAINED.

- NOTES:**
1. PRIVATE SEWER TO BE PUMPED TO PIKEVILLE SHOPPING CENTER PENDING APPROPRIATE APPROVALS.
 2. PROPERTY LINES ESTABLISHED FROM DEEDS
 3. PRIVATE WATER TO BE SUPPLIED FROM PIKEVILLE SHOPPING CENTER PENDING APPROPRIATE APPROVALS.

ENGINEERS
D. S. THALER & ASSOC.
11 WARREN ROAD
BALTO. MD. 21208 484-4100

PLAN TO ACCOMPANY
SPECIAL EXCEPTION FOR
OFFICE BUILDING

BEDFORD AVE. / MC HENRY ST
BALTO. CO MD. 3RD ELECT DISTRICT
SCALE: 1" = 30' MAY 19, 1979

NAME: 26
1108 F
ELECTION
DISTRICT: 3
D. NO. 6-1179
TYPE
MEMBER: SE
BY 26
FINAL
BY: _____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

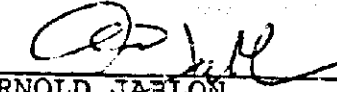
Gilbert S. Benson, P.E., Asst. Chief
TO: Bureau of Public Services Date: November 22, 1983
Arnold Jablon
FROM: Zoning Commissioner
SUBJECT: Utilization of Special Exception
Case No. 80-61-X
Pikesville Partnership
SW/corner of Bedford Avenue
and McHenry Street -
3rd Election District

The owners of the above-referenced property have requested that they be officially notified by the Director, Public Works Department, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, of the time when they can obtain a Public Works Agreement relative to the development of the said property, in accordance with the Special Exception granted for that purpose.

Enclosed is a copy of your correspondence dated September 12, 1983 indicating the dates which I believe are pertinent to this matter. Also enclosed is a copy of Section 502.3 of the Zoning Regulations.

The eighteen-month period within which the developer must start and pursue construction to completion would begin on the date that a Public Works Agreement is available.

If you have any questions concerning this matter, please do not hesitate to contact me or Brian A. Goldman, Esquire, Attorney for the owners of the subject property.


ARNOLD JABLON
Zoning Commissioner

AJ:JED:nr

Enclosures

cc: Brian A. Goldman, Esquire
Suite 1910 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

Harry J. Pistel, Director
Public Works Department

James E. Dyer
Zoning Supervisor

LAW OFFICES
GOLDMAN & FEDDER, P. A.
SUITE 1910 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3130
(301) 752-5008

BRIAN A. GOLDMAN
STEVEN K. FEDDER
JUDITH E. NORTON

October 31, 1983

CERTIFIED MAIL
RETURN RECEIPT

Arnold E. Jablon, Esquire
Commissioner of Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Request for Special Exception
Southwest Corner of Bedford Avenue
and McHenry Street
Case No. 80-61-X *PIKESVILLE PARTNERSHIP*

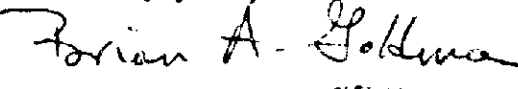
Dear Mr. Jablon:

I represent Bedford Square, a Maryland General Partnership, which is the owner of the above captioned property.

It would be appreciated if you would docket the zoning records and advise the Director of Public Works that I should receive notification of the time when my clients can obtain a Public Works Agreement permitting exercise of the Special Exception pursuant to Section 502.3 of the Baltimore County Zoning Regulations.

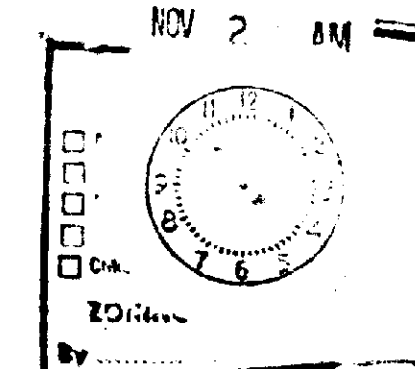
Thank you for your cooperation.

Sincerely yours,


Brian A. Goldman

BAG/bq

cc: Howard M. Saperstein, CPA
Mr. Gilbert S. Benson,
Asst. Chief, Bureau of Public Works



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon
TO: Zoning Commissioner Date: September 12, 1983
FROM: Gilbert S. Benson
SUBJECT: Office Building
Bedford Ave., McHenry Str.
Pikesville Partnership

Your office and Mr. Ira C. Cooke, Esq., have requested a letter explaining the delay in the award of the bid for the Storm Drain Contract for the subject property.

In October of 1981, an executed Public Works Agreement, No. 38105, was approved. The Agreement envisioned a sharing of expenses between the County and the developer. In March of 1983, the County requested from the Water Management Administration an Application for Water and Sewerage Facility Construction Permit. In July of 1982, Mr. Robert Morton from the Department of Public Works advised the Contracts Division of the County that "...Baltimore County will assume the cost of the proposed 48-inch drain (approximately 260 feet) that would have traversed this site if the office building was not proposed."

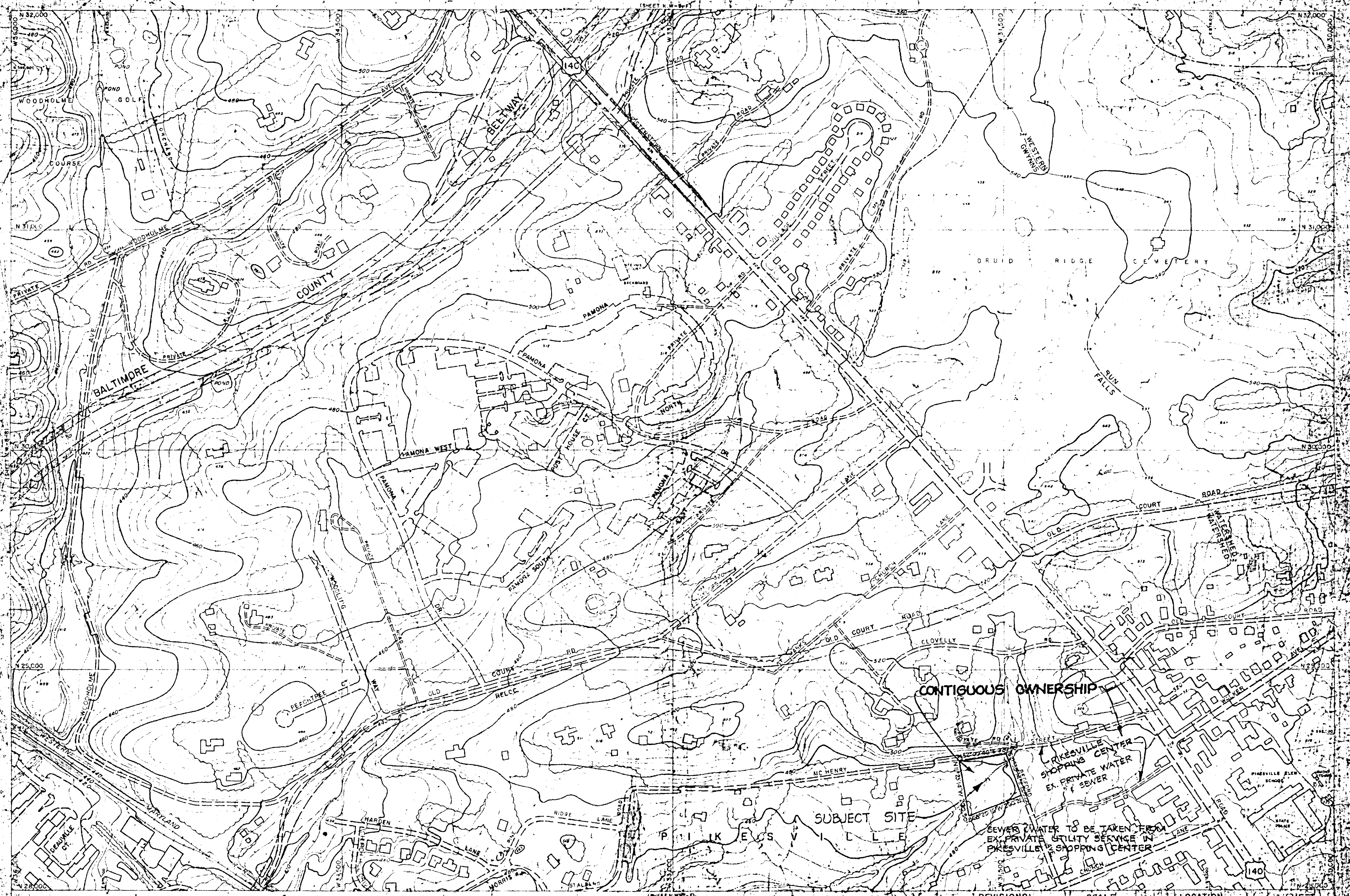
On July 8, 1982, bids were received by the Bureau of Engineering of the County. On August 3, 1982, a letter from David Thaler, engineer for the developer, was received pointing out that the developer, according to the Public Works Agreement, "...shall be responsible for the following... the difference in cost between the realignment and the cost of the previous alignment through the office building location."

Following receipt of this letter, Mr. Morton on September 27, 1982 wrote that "Since the proposed storm drain is part of a capital project, we must wait until the County is prepared to proceed in order that we may participate financially in this project." On January 5, 1983, further negotiations were held with the developer to secure proper contribution from the County. The negotiations were ongoing through the spring and early summer of 1983. On June 23, 1983, bids were finally received in accordance with the Public Works Agreement.

The developer through his attorneys and engineer has worked diligently with the County to secure the proper and correct funding which has now been arrived at. Because of the Agreement's intricacies and the necessity of County participation in this project, the developer sustained delays without his fault.


Gilbert S. Benson, P.E., Asst. Chief
Bureau of Public Services

GSB:jha
cc: File

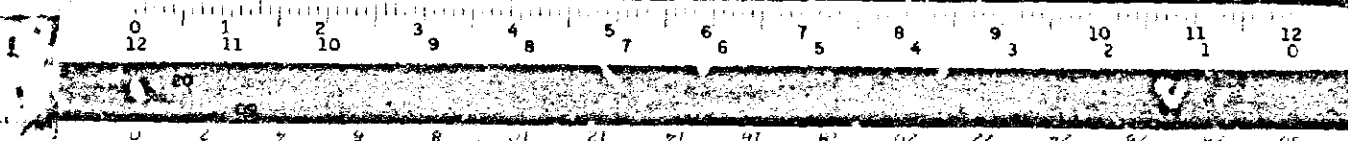


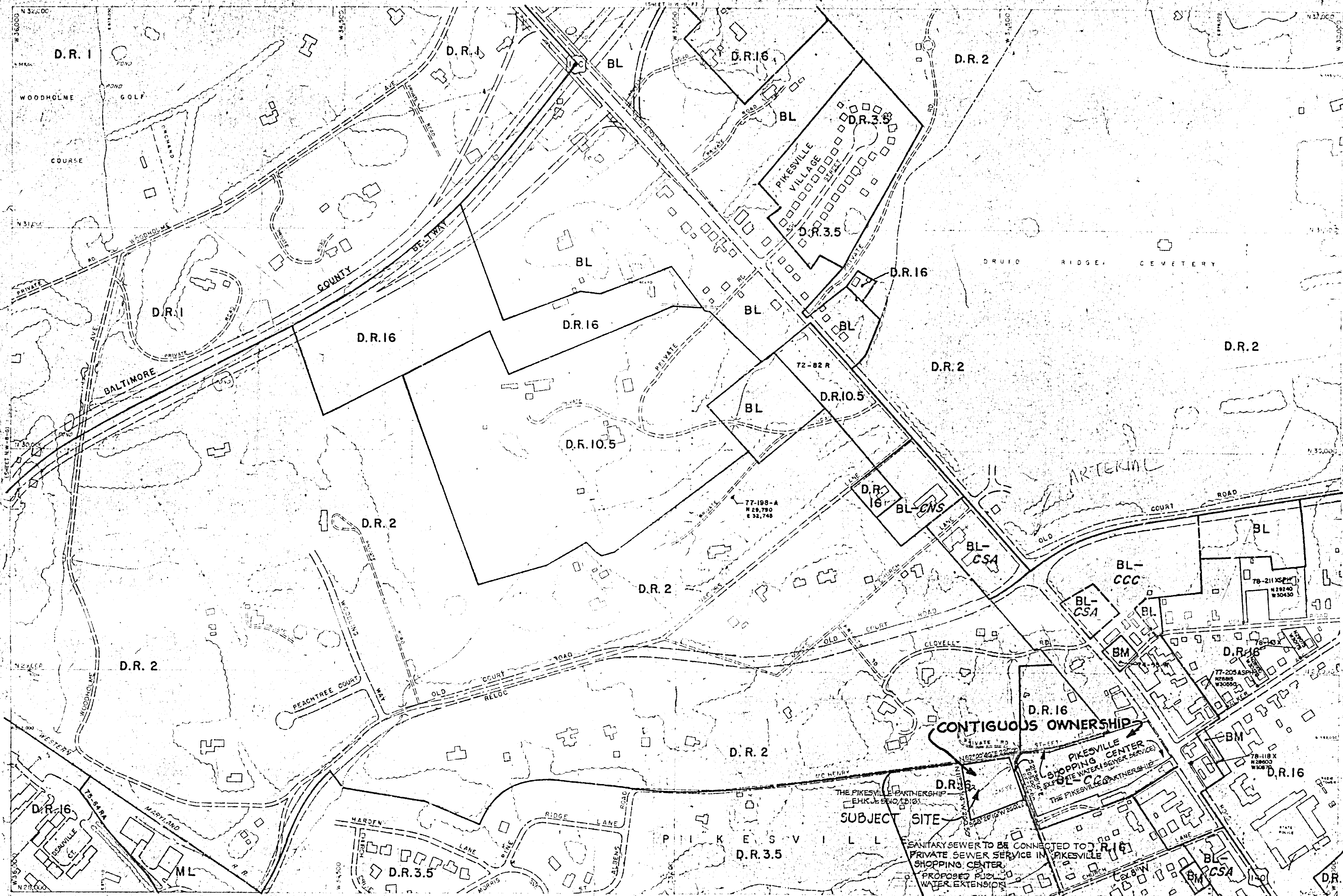
P-SE
P-NE

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	PIKEVILLE	N.W. B-F
Topographic	4-11-70			
		DATE OF PHOTOGRAPHY		
		APR 1953		
Photography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION PHILADELPHIA, PA.				

1953 Topo 1970 Topo



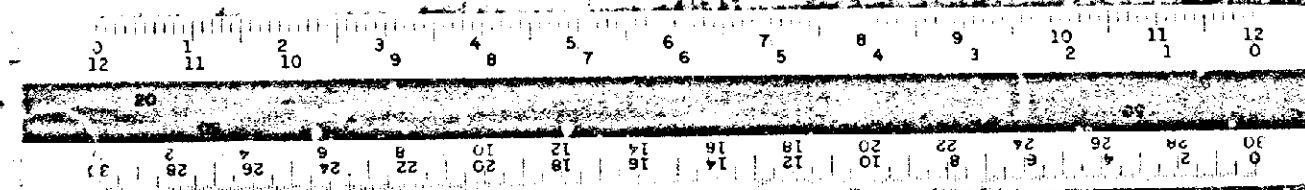


P-SE
P-NE

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
BLL NOS. 108-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

CHAIRMAN, COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA



REVISIONS
BY DATE
Planimetric Map, 4-11-70
INC.
DATE OF
PHOTOGRAPHY
APRIL, 1953
Compiled by Photogrammetric No. 15
AERO SERVICE CORPORATION, PHILADELPHIA, PA.

SCALE
1" = 200'

LOCATION
PIKESVILLE

SHEET
N.W.
8-F

RE: PETITION FOR SPECIAL EXCEPTION
 SW/corner of Bedford Ave.
 and McHenry St., 3rd District
 Pikesville Partnership,
 Petitioner

* BEFORE THE
 * ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 80-61-X

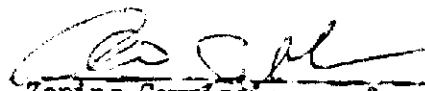
* * * * *

EXTENSION ORDER

Upon consideration of the facts and circumstances provided, which include a letter dated 12 September 1983 from Gilbert S. Benson, Assistant Chief, Bureau of Public Services, that the Petitioner's failure to utilize within the maximum time period allowable the special exception cited above was not due to the failure of the Petitioner to comply with the requisite zoning regulations or with the Orders as passed by the Zoning Commissioner but to the problems experienced by Baltimore County in providing adequate and available public sewer and water facilities, and which include the fact that the Petitioner was unable to obtain a building permit due to the lack of available and adequate public sewer and water facilities, it is, pursuant to the authority vested in the Zoning Commissioner by Section 502.3 of the Baltimore County Zoning Regulations, this 13th day of October, 1983,

ORDERED that the special exception granted on 10 October 1979 which could not be utilized within the maximum allowable time because of inadequacy or unavailability of public sewer and water facilities is and shall be extended herewith for a period of eighteen months after public sewer and water facilities become adequate and available, as evidenced by a written statement from the Director of Public Works for Baltimore County, or from his designee, that such facilities have become adequate and available

to the Petitioner, said period beginning from the date of said written statement and expiring eighteen months therefrom.


 Zoning Commissioner of
 Baltimore County

cc: Ira C. Cooke, Esquire

Mr. Bruce D. Mogol
 Bedford Square
 19 Walker Avenue, Suite 300
 Baltimore, Maryland 21208

Mr. Harry J. Pistel, Director
 Department of Public Works

Ms. Judy London
 Economic Development Commission

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE
SW/corner of Bedford Avenue and ZONING COMMISSIONER
McHenry Street - 3rd Election District: OF
Pikesville Partnership - Petitioner
NO. 80-61-X (Item No. 250) :
BALTIMORE COUNTY

EXTENSION ORDER

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of November, 1981, that if the petitioner chooses to provide Metropolitan District facilities by extending such facilities in Church Lane to the subject site so as to use the Gwynn Falls as the suitable outfall for sewer, the time for utilization of the special exception, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, shall expire eighteen months from November 7, 1980, or, in the alternative, if the petitioner chooses to provide Metropolitan District facilities to the subject site by franchise to construct under Bedford Avenue and tie into the existing facilities in the Pikesville Shopping Center, the time for utilization of the special exception, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, shall expire eighteen months from November 9, 1979, with a credit of seven months being added thereto.

William E. Hammond
Zoning Commissioner of
Baltimore County

MICROFILMED

In keeping with the contents of this letter, I will sign an extension order commensurate therewith.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

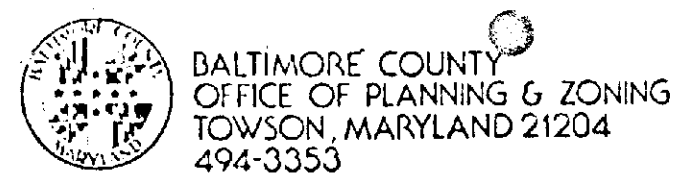
cc: Mr. Arthur W. Putzel, Deputy Director
Economic Development Commission

Mr. Eugene A. Bober, Chief
Current Planning and Development Division

John W. Hessian, III, Esquire
People's Counsel

Mrs. Jean M.H. Jung
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor



WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 19, 1981

Ira C. Cooke, Esquire
Melnicove, Kaufman & Weiner, P.A.
36 South Charles Street, Sixth Floor
Baltimore, Maryland 21201

RE: Pikesville Partnership
SW/corner of Bedford Avenue and
McHenry Street - 3rd Election
District
Case No. 80-61-X

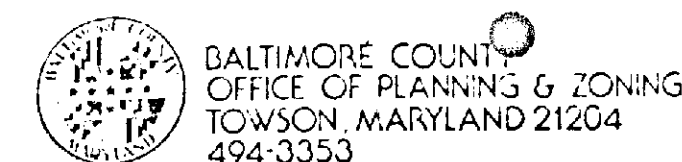
Dear Mr. Cooke:

Regarding your request concerning the time remaining for implementing the special exception for construction of an office building under Case No. 80-61-X, this is to advise that the Order dated October 10, 1979, was silent as to the time for utilization; therefore, Section 502.3 of the Baltimore County Zoning Regulations sets forth a period of two years from the date of the final order, to wit, October 10, 1981. If a special exception cannot be utilized within the allowable time because of inadequacy or unavailability of public sewer or water facilities, Section 502.3 also provides that the Zoning Commissioner shall extend the time for utilization to a date eighteen months after such facilities become adequate and available, as evidenced by the ability to obtain a public works agreement permitting exercise of the special exception.

Facts ascertained subsequent to the granting of the special exception revealed that the subject site is serviceable by Metropolitan District water and sewer either by extending both services from the points of termination in Church Lane approximately 2,300 feet or by securing a franchise from Baltimore County for both services to be laid under Bedford Avenue and tied into the existing services in the Pikesville Shopping Center—property which is also owned by the same parties. The former choice provides some impediment in that it would be within the Gwynn Falls moratorium area, while the latter would provide service within the Jones Falls area.

In accordance with Article 4A—Growth Management (Bill 178, 1979) of the zoning regulations, Section 4A02.3.G.3 provides:

MICROFILMED



WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 24, 1981

Ira C. Cooke, Esquire
Melnicove, Kaufman & Weiner, P.A.
36 South Charles Street, Sixth Floor
Baltimore, Maryland 21201

RE: Petition for Special Exception
SW/corner of Bedford Avenue and
McHenry Street - 3rd Election
District
Pikesville Partnership - Petitioner
NO. 80-61-X (Item No. 250)

Dear Mr. Cooke:

I have this date passed my Extension Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mr. Harry J. Pistel, Director
Department of Public Works

"Prior to January 1, 1980, no applications for a reserve-capacity-use certificate shall be accepted by the Office of Planning and Zoning unless the applicant has a final subdivision plat covering the subject property recorded prior to the effective date of this article or the applicant has applied for a building permit for development for which subdivision approval is not otherwise required."

Further, Section 4A02.3.G.6 provides that a reserve-capacity-use certificate authorized by a building permit would not expire unless and until the building permit expired and Section 4A02.3.G.7 provides for the continued validity of:

1. sewerage allocations made by the Department of Public Works prior to November 19, 1979,
2. all development for which there was an approved and unexpired building permit issued prior to November 19, 1979,
3. all development of a subdivision tract or part of a tract or which substantial construction of the utilities or roads had taken place prior to November 19, 1979, and
4. a public works agreement which had been both executed and funded to secure the construction of the public improvements covered by the agreement prior to November 19, 1979.

In this regard, Eugene A. Bober, Chief of Current Planning and Development, Office of Planning and Zoning, indicated in his inter-office correspondence of October 29, 1981, that subsequent to January 1, 1980, his office had authorized sewer connections on November 7, 1980, from a waiting list and again on September 2, 1981, and that 1982 allocations would be available on November 1, 1981. Therefore, since the special exception was granted on October 10, 1979, and the appeal period expired on November 9, 1979, the earliest the petitioner could have applied for a building permit would have been November 10, 1979, but such would have been subject to approval by the Baltimore County Planning Board under the I.D.C.A. (Interim Development Control Act) procedure then in effect, as well as the Gwynn Falls moratorium.

I.D.C.A. Application No. 78-44-X was filed in 1978, but was denied by the Planning Board's Resolution of September 21, 1978. It is, therefore, doubtful that any new application filed between November 10, 1979 and November 19, 1979 (Section 4A02.3.G.7) would have been acted upon or granted or that any of the other saving features of said section would have been realized prior to November 19, 1979. With this being true, the earliest the petitioner could have hoped to receive

MICROFILMED

- 2 -

an allocation for sewer service in the Gwynn Falls moratorium area would have been November 7, 1980.

A review of Public Works Agreement No. DPW 38105, signed by the petitioner on October 1, 1981, indicates a desire to provide the site with metropolitan facilities by private connection to those facilities servicing the shopping center property and by way of a franchise from Baltimore County to cross under Bedford Avenue. This method of providing metropolitan facilities to the site would negate the Gwynn Falls moratorium and would comply with Restriction No. 1 of the Petition for Special Exception (Case No. 80-61-X). This viable solution to the allocation problems created by the moratorium was originally conceived prior to February 7, 1979—the date the petitioner applied for approval (I.D.C.A. Application No. 79-2). This application was approved by the Planning Board at their April 19, 1979 meeting, approximately six months before the special exception was granted. Therefore, this alternative was available at the time the appeal period for the special exception expired and could have been acted upon prior to the two year expiration of the special exception. In this regard, correspondence from Michael J. McMahon, Assistant County Solicitor, dated November 6, 1981, indicates a chronology of events regarding the required franchise and covering a seven month period from April 6 through November 5, 1981. The last date specified, November 5, 1981, indicated that the petitioner had paid the appraised value of the area of franchise (\$1,000) and that the corrected franchise agreement was ready for execution by the County Executive.

In view of the lack of control exercisable by the petitioner in the franchise process, the question arises as to when the facilities became adequate or available to the site, i.e., the date of the expiration of the special exception appeal period, the date the franchise procedure began, the date the petitioner performed all of the requirements necessary for the grant of the franchise, or the date of the franchise. If any date other than November 9, 1979 is used, the petitioner would be benefitted by inactivity and, therefore, would not be within the spirit and intent of Section 502.3. Conversely, to charge the petitioner with delay in the franchise process which was beyond control would also not be within the spirit and intent of Section 502.3. Therefore, the petitioner should be given credit for that portion of the delay beyond control—the seven months between April 5 and November 5, 1981.

In recapitulation, if the petitioner chooses to provide Metropolitan District facilities by extending such facilities in Church Lane to use the Gwynn Falls as the suitable outfall for sewer, the time for providing adequate or available public sewer or water to the site of the special exception would expire eighteen months from November 7, 1980. If, however, the petitioner chooses to provide Metropolitan District facilities by franchise to construct under Bedford Avenue and tie into the existing facilities in the Pikesville Shopping Center, the time would expire eighteen months from November 9, 1979, with a credit of seven months being added thereto.

- 3 -

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

M. Melvin Berger, Jack Luskin and Benton J. Pumpian
I, or we, T/A Pikesville Partnership, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

IDCA
79-2 X

MAP	100
ELECTION	100
DISTRICT	100
D. T. P.	100
TYPE	100
BY	100
FINAL	100

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for office building.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

By: Ira C. Cooke, Esquire
Melnicove, Kaufman & Weiner, P.A.
Sixth Floor
Baltimore, Maryland 21201
332-8540 Petitioner's Attorney

By: Benton J. Pumpian
LEGAL OWNER
Pikesville Partnership
Baltimore, Maryland 21201
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1979, at 10:00 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
M. Melvin Berger, Jack Luskin & Benton J. Pumpian, T/A Pikesville Partnership
I, or we, _____, LEGAL OWNER OF THE PROPERTY SITUATED IN BALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS DRAWN TO SCALE, COMPLETE WITH BEARINGS AND DISTANCES ON 200 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL
Exception _____ IN A D.R. 16 ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR
Offices

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 1.3 Ac. + DEED REF. 5510, Folio 316
GRADING 100 % OF OVERALL SITE WILL REQUIRE GRADING.
BUILDING SIZE
GROUND FLOOR 105 x 143 AREA 15,015 S.F.
NUMBER OF FLOORS 2 TOTAL HEIGHT 25 ft. Max.
FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = .54

BUILDING USE
GROUND FLOOR Office OTHER FLOORS Office

REQUIRED NUMBER OF PARKING SPACES
GROUND FLOOR 50 OTHER FLOORS 30 TOTAL 80

PAVING
AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 28,800 S.F.
(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

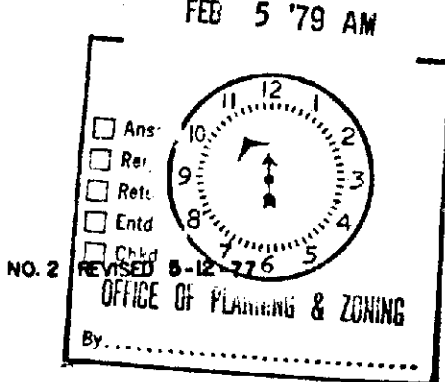
UTILITIES
WATER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM top existing water service
in contiguous shopping center.
SEWER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM top existing sewer service
in contiguous shopping center.

UTILITIES SECURITY APPROVAL
BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
PIKESVILLE PARTNERSHIP

APPLICANT, LESSEE OR CONTRACT PURCHASER
ADDRESS
By: Benton J. Pumpian
LEGAL OWNER
Benton Pumpian
ADDRESS c/o Ira C. Cooke, Esquire
36 S. Charles Street, Balto. 21201

THE PLANNING BOARD HAS DETERMINED ON 4-19-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-15.1(f) OF THE BALTIMORE COUNTY CODE, 1968.



IDCA FORM NO. 2

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
M. Melvin Berger, Jack Luskin & Benton J. Pumpian, T/A Pikesville Partnership
I, or we, _____, LEGAL OWNER OF THE PROPERTY SITUATED IN BALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS DRAWN TO SCALE, COMPLETE WITH BEARINGS AND DISTANCES ON 200 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL
Exception _____ IN A D.R. 16 ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR
Offices

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 1.3 Ac. + DEED REF. 5510, Folio 316
GRADING 100 % OF OVERALL SITE WILL REQUIRE GRADING.
BUILDING SIZE
GROUND FLOOR 105 x 143 AREA 15,015 S.F.
NUMBER OF FLOORS 2 TOTAL HEIGHT 25 ft. Max.
FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = .54

BUILDING USE
GROUND FLOOR Office OTHER FLOORS Office

REQUIRED NUMBER OF PARKING SPACES
GROUND FLOOR 50 OTHER FLOORS 30 TOTAL 80

PAVING
AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 28,800 S.F.
(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES
WATER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM top existing water service
in contiguous shopping center.
SEWER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM top existing sewer service
in contiguous shopping center.

UTILITIES SECURITY APPROVAL
BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
THE PIKESVILLE PARTNERSHIP

APPLICANT, LESSEE OR CONTRACT PURCHASER
ADDRESS
By: Benton J. Pumpian
LEGAL OWNER
Benton Pumpian
ADDRESS c/o Joseph S. Kaufman, Esq.
36 S. Charles Street, Balto. 21201

THE PLANNING BOARD HAS DETERMINED ON 4-19-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-15.1(f) OF THE BALTIMORE COUNTY CODE, 1968.

Leslie H. Graef
CHAIRMAN, BALTIMORE COUNTY
PLANNING BOARD

IDCA FORM NO. 2 REVISED 8-12-77

Baltimore County Office of Planning and Zoning
September 21, 1978

RESOLUTION OF THE BALTIMORE COUNTY PLANNING BOARD September 21, 1978

WHEREAS, Pursuant to Section 22-15.1 of the Baltimore County Code 1968 as amended by Bill No. 12-77, known as the Interim Development Control Act, there has been submitted to the Baltimore County Planning Board an application, IDCA No. 78-44X for a special-exception to allow office use on property located on the south side of McHenry Street, 650' west of Reisterstown Road, owned by Melvin Berger, Jack Luskin, Benton Pumpian; and

WHEREAS, The Department of Public Works has determined that public sewer facilities with adequate capacity would not be available to serve that property at the time of approval of the special-exception and that public sewer facilities are not scheduled for construction or extension to that property within the current Metropolitan District capital program or programmed within the first year of the Metropolitan District capital program; and

WHEREAS, The Department of Public Works has determined that public water facilities with adequate water pressure, flow or volume for consumption and fire protection are not available to serve that property and that such water facilities are not scheduled for construction or extension to that property within the current Metropolitan District capital budget or programmed within the first year of the Metropolitan District capital program; and

WHEREAS, Subsection 22-15.1(e) of the County Code requires that such an application be denied, and Subsection 22-15.1(f) requires that the Planning Board render a decision in the matter, based upon and consistent with the recommendations of appropriate County agencies; and

WHEREAS, Further, under Subsection 22-15.1(f) of the County Code, if the Planning Board decides that an application submitted under the Interim Development Control Act fails to conform to the requirements of that act, the application must be denied; now, therefore be it

RESOLVED, That the Baltimore County Planning Board hereby decides that the development proposed under IDCA Application No. 78-44X fails to conform to the requirements of the Interim Development Control Act; and be it further

RESOLVED, That pursuant to Paragraph 22-15.1(e)(2) B of the County Code, a copy of this resolution shall be forwarded to the Zoning Commissioner thereby advising him of the Planning Board's findings and decision regarding IDCA Application No. 78-44X.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on September 21, 1978.

DATE: September 22, 1978

Leslie H. Graef
Leslie H. Graef, Director of Planning
Secretary to the Board

October 10, 1979

Ira C. Cooke, Esquire
36 South Charles Street, Sixth Floor
Baltimore, Maryland 21201

RE: Petition for Special Exception
SW/corner of Bedford Avenue and
McHenry Street - 3rd Election
District
Pikesville Partnership -
Petitioner
NO. 80-61-X (Item No. 250)

Dear Mr. Cooke:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/erl

Attachments

cc: John W. Hessiao, III, Esquire
People's Counsel

D. S. THALER & ASSOCIATES, INC.

11 WARREN ROAD • BALTIMORE, MARYLAND 21208 • (301) 481-4100

May 21, 1979

DESCRIPTION OF BEDFORD AVENUE AND MCHENRY STREET PARCEL

Beginning for the same at the corner formed by the intersection of the south side of McHenry Street, 50 feet wide, with the southwest side of Bedford Avenue, 45 feet wide, and running and binding on said southwest side of Bedford Avenue, South 21°39'14" East 205.00 feet, thence leaving southwest side of Bedford Avenue and running South 68°29'16" West 260.21 feet, thence North 11°23'14" West 260.50 feet to intersect the south side of McHenry Street and running and binding on said south side of McHenry Street, North 82°00'46" East 220.00 feet to the place of beginning.

Containing 1.2690 acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: _____ Date: August 30, 1979
FROM: John D. Seyffert, Director
Office of Planning and Zoning

SUBJECT: Petition #80-61X, Item 250
Petition for Special Exception for offices
Southwest corner of Bedford Avenue and McHenry Street
Petitioner - Pikesville Partnership
3rd District

HEARING: Thursday, September 6, 1979 (10:00 A.M.)

Office use would be appropriate here. If granted, a detailed landscaping plan should be submitted for approval by the Division of Current Planning and Development.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

ORDER RECEIVED FOR FILING

DATE October 19, 1979

BY William E. Hammond
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, the Special Exception for an office building, for general office use excluding medical or dental offices, should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of October, 1979, that the herein Petition for Special Exception for an office building, for general office use excluding medical or dental offices, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Connection to the metropolitan district sewer and water services, as provided for in the comments submitted by the Department of Public Works, dated July 18, 1979.
2. Construction of sidewalks, as provided for in the comments submitted by the Department of Traffic Engineering, dated July 10, 1979.
3. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the current Planning and Development Division.

William E. Hammond
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of.....

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this.....day of....., 1979, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a.....zone; and/or the Special Exception for.....be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SW corner of Bedford Ave. and : OF BALTIMORE COUNTY
McHenry St., 3rd District

PIKESVILLE PARTNERSHIP, Petitioners : Case No. 80-61-X

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of August, 1979, a copy of the foregoing Order was mailed to Ira C. Cooke, Esquire, Melnicove, Kaufman & Weiner, P. A., 36 S. Charles Street, Sixth Floor, Baltimore, Maryland 21201, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Ira C. Cooke, Esquire
36 South Charles Street
Sixth Floor
Baltimore, Maryland 21201

cc: D. S. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 30th day of July, 1979.

William E. Hammond
Zoning Commissioner

Petitioner Pikesville Partnership

Petitioner's Attorney Ira C. Cooke, Esq. Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 24, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Ira C. Cooke, Esquire
Melnicove, Kaufman & Weiner, P.A.
36 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 250
Petitioners - Pikesville Partnership
Special Exception

Dear Mr. Cooke:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the southeast corner of McHenry Street and Bedford Avenue in the 3rd Election District, the subject property is zoned D.R.16 and is proposed to be developed with a two story office building and accessory parking area. This property was the subject of a previous zoning hearing (Case No. 75-28-RX) in which a Reclassification to D.R.2 zoning and a Special Exception for a miniature golf course were dismissed. Adjacent properties to the west and south are similarly zoned and are improved with existing dwellings, while the Pikesville Shopping Center exists directly opposite this site to the east.

Since the site plan has been revised to incorporate the proposed 50 foot widening of Bedford Avenue and the required parking setback from this right-of-way line, this hearing was scheduled. As indicated in conversation with Mr. Leonard Bohager of D. S. Thaler and Associates, the front of the proposed building will be situated on Bedford Avenue therefore, the required setback along the southerly property line must be 25 feet. Even though the setback does not scale to 25 feet, I have been assured by Mr. Bohager that this will be the case.

Item No. 250
Special Exception
August 24, 1979

Particular attention should be afforded to the comments of the Bureau of Engineering concerning the connection to water and sewer as well as the requirement of a drainage and utility easement through this property.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: D. S. Thaler & Assoc. Inc.
11 Warren Road
Baltimore, Maryland 21208

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 18, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #250 (1978-1979)
Property Owner: Pikesville Partnership
S/W cor. Bedford Ave. & McHenry St.
Existing Zoning: DR 16
Proposed Zoning: Special Exception for offices
(IDCA 79-2X)
Acres: 1.2690 District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied for this property in connection with the Zoning Advisory Committee review for Item 22 Zoning Cycle VII (April-October 1974), No. 75-28RX.

This property was the subject of Projects IDCA 78-44X and IDCA 279-2X, for which comments were also supplied. The comments for the latter, Project IDCA 79-2X, as amended April 3, 1979 are referred to for your consideration.

Highways:

McHenry Street and Bedford Avenue, existing public roads, are proposed to be further improved in the future as 30 and 36-foot closed section roadways on 50-foot rights-of-way. Highways rights-of-way widenings, including fillet areas for sight distance at the intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application or development of this property.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading including the stripping of top soil.

Item #250 (1978-1979)
Property Owner: Pikesville Partnership
Page 2
July 18, 1979

Storm Drains:

Provisions for accommodating additional storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The redesign, relocation and reconstruction of the 36-inch storm drainage traversing this site (Drawing #54-136, File 4), in connection with any development of this property, is to be in accordance with Baltimore County Standards and Specifications and all right-of-way costs will be the full responsibility of the Petitioner.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water:

There is an 8-inch public water main in Church Lane. The Petitioner proposes to connect to the service connection serving the Pikesville Shopping Center fronting on McHenry Street and Reisterstown Road, which property is also owned by the Petitioner. Such a connection requires Baltimore County approval and a franchise agreement from Baltimore County to traverse Bedford Avenue, and will be the full responsibility of the Petitioner.

Sanitary Sewer:

There is 8-inch public sanitary sewerage in Church Lane.

The Petitioner proposes to provide private onsite sewage pumping facilities and force main, to connect to the service connection serving the Pikesville Shopping Center fronting on McHenry Street and Reisterstown Road, which property is also owned by the Petitioner. Such a connection requires Baltimore County approval and a franchise agreement from Baltimore County to traverse Bedford Avenue, and will be the full responsibility of the Petitioner.

A drainage and utility easement is required through this property for future public sanitary sewerage.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Chief, Bureau of Engineering

END:EAM:PWR:66

cc: J. Trenner, R. Morton, D. Grise, J. Loos, S. Bellestri
P-SE Key Sheet
29 NW 21 & 22 Pos. Sheets
NW 8 F Topo
78 Tax Map

SUBDIVISION REVIEW COMMENTS

DATE: March 7, 1979

FROM: Ellsworth M. Diver, P.E.
Chief, Bureau of Engineering

PROJECT NAME: Berger-Luskin & Pumpian Partnership	IDCA PLAN	2
PROJECT NUMBER: IDCA NO. 79-2X	PRELIMINARY PLAN	
LOCATION: Corner McHenry Avenue and Bedford Avenue	TENTATIVE PLAN	
DISTRICT: 3C2	DEVELOPMENT PLAN	
	FINAL PLAT	

This application for special exception (No. 79-2X) was received by the Developers Design Approval Section on February 23, 1979, and we comment as follows:

General:

The comments supplied in connection with IDCA Project 78-44X remain valid and applicable to this IDCA Project 79-2X, and are referred to for your consideration.

[SIGNED] EDWARD A. McDONOUGH

ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EM:FW:iss

Attachment

SUBDIVISION REVIEW COMMENTS

DATE: August 28, 1978

FROM: Ellsworth M. Diver, P.E.
Chief, Bureau of Engineering

PROJECT NAME: Berger-Luskin & Pumpian Partnership	IDCA PLAN	X
PROJECT NUMBER: IDCA NO. 78-44X	PRELIMINARY PLAN	
LOCATION: Corner McHenry and Bedford Avenues	TENTATIVE PLAN	
DISTRICT: 3C2	DEVELOPMENT PLAN	
	FINAL PLAT	

This application for special exception (No. 78-44X) was received by the Developers Design Approval Section on July 25, 1978, and we comment as follows:

General:

Comments were supplied for this property in connection with the Zoning Advisory Committee review for Item 22 Cycle VII (April-October 1974), No. 75-28-EX.

Water: (Pikesville 4th Zone of Water Service)

There is an 8-inch public water main in Church Lane, from which a public water extension, approximately 640 feet in length, could serve this and other properties. There are no problems with water service in this area. This property is within the Urban-Rural Demarcation Line and in an area designated "Existing Service" on Baltimore County Water Plan W-16A, as amended. The requested change in use would not adversely affect the system.

As the public water main does not actually extend to this property, this project may not be approved. However, should the Petitioner comply with the requirements, which guarantee the construction of public water main to this property, per sub-section e (1) A (1) of Bill No. 12-77 (IDCA), this project may be approved.

Sanitary Sewer: (Gwynns Falls Interceptor - Main Outfall - Back River Waste Water Treatment Plant)

There is 8-inch public sanitary sewerage in Church Lane. A public sanitary sewer extension, approximately 2,300 feet in length from the vicinity of Church Hill Drive, could serve this and other properties. There are no dry weather flow problems reported in the area. This property is within the Urban-Rural Demarcation Line and in an area designated "Existing Service" on Baltimore County Sewerage Plan S-16A, as amended. The requested change in use would not adversely affect the system.

As the public sanitary sewer lines do not actually extend to this property, this project may not be approved. However, should the Petitioner comply with the requirements, which guarantee the construction of public sanitary sewerage to this property, per sub-section e (1) A (1) of Bill No. 12-77 (IDCA), this project may be approved.

B. J. Luskin, & Pumpian Partnership
Page 2
August 28, 1978

Sanitary Sewer: (Cont'd)

The sewerage of this property, tributary to the Gwynns Falls Sewerage System, is subject to State Health Department requirements.

Storm Drains: (Gwynns Falls - Patuxent River - Chesapeake Bay)

This property drains to Gwynns Falls. There are known flooding problems downstream. The Petitioner indicates a proposed increase of onsite impervious area of slightly in excess of an acre (43,815 square feet). As this project, subject to Baltimore County Storm Water Management Policy, will present no additional impact downstream from the proposed development of this property, this project is recommended for approval. Estimated 100-year design storm runoff increase of 7.02 cfs.

[SIGNED] EDWARD A. McDONOUGH

ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EM:FW:iss

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

April 26, 1974

Bureau of Engineering
ELLSWORTH M. DIVER, P.E., CHIEF

Mr. S. Eric McDonough
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #22 (Cycle VII - April to October 1974)
Property Owner: Melvin Berger, et al, T/A Pikesville Partnership
S/S of McHenry St., S/S of Bedford Ave.
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 2
No. of Acres: 1.26 District: 3rd

Dear Mr. McDonough:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Bedford Avenue is an existing 35-foot curb and gutter cross-section on a 10-foot right-of-way. The Developer shall dedicate the additional 5-foot right-of-way necessary to establish a sidewalk area for the frontage of the site.

McHenry Street is an existing road which shall ultimately be improved as a 30-foot curb and gutter cross-section on a 50-foot right-of-way.

Sidewalks are required on all public roads adjacent to this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards (Detail 2-20) which places the back edge of the sidewalk 2 feet off the property line.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drains:

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #22 (Cycle VII - April to October 1974)
Property Owner: Melvin Berger, et al, T/A Pikesville Partnership
Page 2
April 26, 1974

Storm Drains: (Cont'd)

The Petitioner shall provide a minimum 10-foot drainage and utility easement along all bordering property lines which are not adjacent to County rights-of-way or storm drain reservations, unless a similar easement has previously been provided along the property lines of the adjacent subdivision. If an easement less than 10 feet in width has previously been provided along any bordering property line within an adjacent subdivision, an additional easement to provide for a minimum width of 10 feet shall be provided along that property line within this subdivision.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Water:

Public water can be extended from the existing 8-inch water main in Church Lane.

Sanitary Sewer:

This site falls within the Gwynns Falls drainage area in which the State Health Department has placed a moratorium prohibiting additional sanitary ties with the existing system.

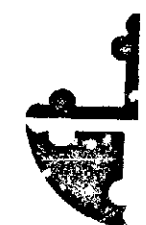
When the moratorium is lifted, a public gravity sewer can be extended approximately 2,000 feet from Saint Albans Road along with the necessary offsite easements to the site.

Very truly yours,

Ellsworth M. Diver
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EM:FW:iss

P-55 Key Sheet
NW 8 P Topo
29 NW 22 Pos. Sheet
78 Tax Map



baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF

DIRECTOR

August 16, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #250, Zoning Advisory Committee Meeting, June 19, 1979, are as follows:

Property Owner: Pikesville Partnership
Location: SW/C Bedford Ave. and McHenry Street
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices (IDCA 79-2-X)
Acres: 1.2690
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS

DIRECTOR

July 10, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. - ZAC - 250
Property Owner: - Pikesville Partnership
Location: - SW/C Bedford Ave. & McHenry St.
Existing Zoning: - DR 16
Proposed Zoning: - Special Exception for offices (IDCA 79-2-X)

Acres: - 1.2690
District: - 3rd

Dear Mr. Hammond:

The existing DR 16 zoning can be expected to generate approximately 140 trips per day and the proposed general offices can be expected to generate 300 trips per day.

Should petition be granted, sidewalks should be provided along the frontage of the site.

Sincerely,

Michael S. Flanagan
Michael S. Flanagan
Engineering Associate II

MSF/mz



baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.

DEPUTY STATE AND COUNTY HEALTH OFFICER

August 9, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #250, Zoning Advisory Committee meeting of June 19, 1979, are as follows:

Property Owner: Pikesville Partnership
Location: SW/C Bedford Ave. & McHenry St.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices (IDCA 79-2-X)
Acres: 1.2690
District: 3rd

Metropolitan water and sewer are available as per sewer and water comments for IDCA 79-2-X. The connection to Metropolitan sewer is subject to the Gwynns Falls Sewer Moratorium.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRF/fthc